

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:08-CV-198-DCK**

LEAH BURGIN and BOBBY BURGIN,)
)
Plaintiffs,)
)
vs.)
)
SAGEBRUSH OF NORTH CAROLINA,)
LLC, et al.,)
)
Defendants.)

PROTECTIVE ORDER AND ORDER EXTENDING TIME

WHEREAS, Defendant National Beef Packing Company, LLC, (“National Beef”) has moved this court to dismiss the Plaintiffs’ claims against it for lack of subject matter jurisdiction (Document No. 45);

WHEREAS, National Beef has supported its motion with an Affidavit of Stan Linville identifying U.S. Premium Beef, LLC, (“USPB”) as a member of National Beef and indicating that an unidentified member of USPB is a citizen of the state of Tennessee for diversity jurisdiction purposes;

WHEREAS, Plaintiff has requested further proof of the identity and citizenship of this USPB member;

WHEREAS, USPB asserts that it has a proprietary interest in protecting from public disclosure trade secret and other confidential information regarding the identity of its members;

WHEREAS, the Defendant National Beef and the Plaintiffs have jointly moved for an agreed protective order concerning the confidential information regarding the members of USPB (Document No. 50);

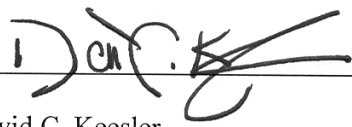
IT IS HEREBY ORDERED THAT:

All documents produced, discovery responses, and deposition testimony, including all information contained therein or derived therefrom, concerning the identity of any members of USPB shall be kept confidential by the parties and shall not be used for any purposes other than this litigation.

IT IS FURTHER ORDERED THAT:

National Beef shall produce its evidence regarding alleged lack of diversity of citizenship on or before January 26, 2008, and Plaintiffs shall file any opposition to National Beef's Motion to Dismiss (Document No. 45) by February 27, 2008.

Signed: January 14, 2009



David C. Keesler
United States Magistrate Judge

